



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,879	08/26/2003	Chien-Te Yeh	3074/105	3186
23338	7590	08/09/2005	EXAMINER	
DENNISON, SCHULTZ, DOUGHERTY & MACDONALD 1727 KING STREET SUITE 105 ALEXANDRIA, VA 22314			LARSON, JUSTIN MATTHEW	
			ART UNIT	PAPER NUMBER
			3727	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TnCh

Office Action Summary	Application No.	Applicant(s)
	10/647,879	YEH, CHIEN-TE
Examiner	Art Unit	
Justin M. Larson	3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 August 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1 and 2 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1 and 2 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 26 August 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

2. The disclosure is objected to because of the following informalities:

Sections/headings are underlined. Please refer to the preferred arrangement of the specification above.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sason (5,449,102). Sason discloses an adjusting device for straps of a knapsack, the straps each having an upper band (144) provided at an upper end and a lower band (218) provided at a lower end (see esp. figure 4), the adjusting device comprising a back board (140) attached to a back surface of the knapsack, the back board having two longitudinal slots parallel to each other (see esp. figures 9A and 9B), and a sliding board (148) attached to the straps (144) and having multiple sliding blocks (166) movably mounted in the corresponding longitudinal slots.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sason. Sason discloses the claimed invention, including two openings for access to sliding blocks (166) with widths larger than a width of the sliding blocks (see esp. fig. 10A), the openings closed by removable cover (162), the sliding boards having necks of widths smaller than a width of the longitudinal slots, the necks respectively formed between the sliding blocks and the sliding board (140) and received in the corresponding longitudinal slots (see esp. figure 10A), but shows the accessible openings at the upper end of the longitudinal slots rather than the lower ends (see esp. figure 9A), as the removable cover (162) is shown at the upper end of the slots. One having ordinary skill in the art at the time the invention was made, however, would have found it obvious that removable cover (162) and fixed integrally formed cover (164) could be located at, or interchanged between, either the upper or lower end of the slots without changing the way in which the device functions or risking utility. Therefor, it would have been obvious to modify the device of Sason by positioning removable cover (162) at the lower end of the slots.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sason in view of Newman (2,451,110) and Hunt (35,684). Sason discloses the claimed invention (see esp. figure 10A) except for two openings in the back board of widths larger than a width of the sliding blocks, resembling those (12) illustrated in applicant's disclosure, the two openings respectively defined at lower ends of the longitudinal slots. Newman discloses a sliding system for hanging clothes, equivalent in structure to that of Sason, including a back board (10) having a longitudinal slot, a sliding block (14) with a neck (15) narrower than a width of the slot, the neck formed between the sliding block and

the sliding board (13), where the sliding block is removed from the slot through an opening in one end of the slot (see esp. figure 1). Hunt, however, teaches a structurally equivalent sliding system for hanging clothes, including a back board with a longitudinal slot (c), a sliding block with a neck narrower than a width of the sliding block, the neck formed between the sliding block and the sliding board (d) (see esp. figure 1 to notice sliding block and neck relation), where the sliding block is removed from the slot through an opening at one end of the back board that is of larger width than the sliding block.

Newman and Hunt disclose equivalent sliding systems with different structures to remove or introduce the sliding block. Therefor, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the knapsack of Sason by using openings such as those taught by Hunt, at either the upper or lower end of the slots, in order to remove sliding board (148) from the slots and reorient the sliding board for either a wide or narrow-shouldered user (see esp. figures 9A, 9B, and col. 9 lines 17-25).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jaeger, Hall et al., Finot, Scherer, Lamar, Sason et al., Lowe, and von Dewitz disclose related bags with adjustable straps. Haeuser and Swetish teach the use of keyhole slots on backpacks. Gordon et al. and Paine, Jr. teach the use of keyhole slots in general. Row et al., teaches another sliding system for hanging clothes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Larson whose telephone number is (571) 272-8649. The examiner can normally be reached on M-Th 6-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on (571) 272-4544. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



NATHAN J. NEWHOUSE
PRIMARY EXAMINER